

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALVIN GREENBERG, MICHAEL
STEINBERG, JULIE HANSON,
CHRISTINA KING, and RONNELL
ROBERTSON, on behalf of themselves and
all others similarly situated,

Plaintiffs,

and

STATE OF WASHINGTON,

Proposed Plaintiff-
Intervenor,

v.

AMAZON.COM, INC., a Delaware
corporation,

Defendant.

NO. 2:21-CV-00898-RSL

STIPULATED MOTION AND
ORDER RE STATE OF
WASHINGTON'S
INTERVENTION AS PLAINTIFF
UNDER FED. R. CIV. P. 5.1 AND
28 U.S.C. § 2403(b)

Pursuant to LCR 7(d)(1), the undersigned parties respectfully stipulate to Proposed Plaintiff-Intervenor the State of Washington's intervention in the above-captioned matter, and the State of Washington respectfully requests that the Court grant intervention as a matter of right. Such intervention shall be for the limited purpose of defending the constitutionality of the

1 Washington Consumer Protection Act (CPA), RCW 19.86, as interpreted by the Washington
 2 Supreme Court in *Greenberg, et al. v. Amazon.com, Inc.*, 3 Wash. 3d 434, 553 P.3d 626 (2024).

3 Defendant Amazon.com, Inc.’s Motion to Dismiss under Rule 12(b)(6) and Motion to
 4 Strike Class Allegations under Rule 12(f) (Dkt. 73), among other things, challenges the
 5 application of the CPA, as interpreted and applied by the Washington Supreme Court’s answer
 6 to this Court’s certified questions to Plaintiffs’ allegations in this case. *See* Dkt. 73 at 13 n.10.
 7 On November 21, 2024, Defendant Amazon.com, Inc. filed a notice of constitutional challenge.
 8 Dkt. 77.

9 Pursuant to Federal Rule of Civil Procedure 5.1(c) and 28 U.S.C. § 2403(b), the State
 10 “shall [be] permit[ted] . . . to intervene . . . on the question of constitutionality.”
 11 28 U.S.C. § 2403(b). The parties are not requesting any alteration of dates previously set by the
 12 Court, but request the Court enter the following stipulated briefing schedule regarding the State’s
 13 substantive brief in opposition to Amazon’s Motion to Dismiss:

- 14 • The State’s opposition brief shall be filed on or before January 29, 2025;
- 15 • Replies by Plaintiffs and/or Amazon to the State’s brief, if any, shall be filed on
 16 or before February 26, 2025.

17 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

18 DATED this 15th day of January, 2025.

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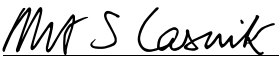
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1 PURSUANT TO STIPULATION, IT IS SO ORDERED. The Clerk of Court is directed
2 to renote defendant's motion to dismiss (Dkt. # 73) on the Court's calendar for February 26,
3 2025.

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5 Dated this 16th day of January, 2025.

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7 Robert S. Lasnik
8 United States District Judge
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